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**OFFICE OF PETITIONS**

In re Application of  
Ronald Arthur Frank  
Application No. 09/725,730  
Filed: November 29, 2000  
Attorney Docket No. 10.0756

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**DECISION ON PETITION**

This is in response to the "TRANSMITTAL OF ISSUE FEE AND PUBLICATION FEE WITH CONDITIONAL PETITION TO WITHDRAW ANY HOLDING OF ABANDONMENT," filed November 8, 2005.

On August 13, 2004, the Office mailed a Notice of Allowance and Fee(s) Due and a Notice of Allowability, which were returned to the USPTO as undeliverable on August 18, 2004. On November 8, 2005, applicant filed the present petition and paid the issue and publication fees. In essence, applicant asserted that the period running against the application had not begun because the Office had not remailed the Notice of Allowance in compliance with MPEP 707.13. In the alternative, applicant requested that the Office withdraw the holding of abandonment and restart the period for response due to non-receipt of the Notice of Allowance. On November 8, 2005, the Office mailed a Corrected Notice of Allowance and Fee(s) Due and a Notice of Allowability, which restarted the three-month statutory period for response.

In view of the above, the petition is **dismissed** as involving a moot issue. There is **no** indication in the record that the application is abandoned.

Telephone inquiries specifically regarding this decision may be directed to the undersigned at (571) 272-3211.

*Christina Tartera Donnell*

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